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United Nations Relief and Works Agency for Palestine Refugees in the Near East

Palestine refugees' properties and their revenues

Report of the Secretary-General

Summary

On 24 May 2005, the Secretary-General sent notes verbales to Israel and all other Member States, drawing their attention to the relevant provisions of resolutions 59/117 to 59/120, and requesting information by 15 June 2005 concerning any action taken or envisaged in relation to their implementation. Replies dated 12 July 2005 and 14 July 2005 were received from Israel and the Syrian Arab Republic, covering various aspects of resolutions 59/117 to 59/120. The full texts of the replies are reproduced in the report. No information has been received from other Member States regarding the relevant provisions of the resolutions.

* A/60/150.

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1. The present report is submitted in pursuance of General Assembly resolution 59/120 of 10 December 2004 on Palestine refugees' properties and their revenues.

2. On 24 May 2005, the Secretary-General drew the attention of the Permanent Representative of Israel to the United Nations to resolutions 59/117 to 59/120 of 10 December 2004, with the request that the Permanent Representative of Israel inform him by 15 June 2005 of any steps his Government had taken or envisaged taking in implementation of the relevant provisions of the resolutions.

3. On 24 May 2005, the Secretary-General sent a note verbale to all other Member States, drawing their attention to the relevant provisions of resolutions 59/117 to 59/120, and requesting information by 15 June 2005 on any actions taken or envisaged in relation to their implementation.

4. A reply dated 12 July 2005 was received from Israel, covering various aspects of resolutions 59/117 to 59/120, and reading as follows:

> From the outset, Israel would like to note that these resolutions come against the backdrop of positive developments in the region, including the impending unilateral disengagement of Israel from the Gaza Strip. It is disappointing to see that these resolutions do not take into account these new developments. Furthermore, they do not reflect the spirit of reform now prevalent in the United Nations General Assembly. Israel would like to have seen the language of these resolutions reflect more comprehensively the Israeli-Palestinian conflict and offer more productive steps.
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> It is the desire of the State of Israel to bring an end to all acts of violence and terror in the region, improve the humanitarian situation, and achieve a negotiated settlement in the context of the Road Map. Towards that goal, Israel is taking a number of steps to promote peace and reinvigorate the peace process.
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> As Israel has previously stated, we support the humanitarian mission of UNRWA and recognize its important contribution to the welfare of the Palestinian refugees. Israel believes that UNRWA could be an important vehicle to promote peace and stability in the region. We remain concerned and dismayed, however, at a number of issues related to the misuse and politicization of UNRWA and the disregard to the campaign of terror waged against Israeli civilians by Palestinian terror organizations.
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> In order for UNRWA to remain an effective humanitarian organization, it must be free of any action or statement that exceeds the borders of its mandate. The extensive Palestinian terrorist infrastructure that has taken root in the Palestinian "refugee camps" severely jeopardizes the legitimacy and efficacy of UNRWA. While Israel fully understands that UNRWA does not have the means or authority to enforce security and public order, we urge UNRWA to draw attention to the misuse of "camps" by terrorist groups in blatant violation of Security Council resolutions and international law. The presence of terrorist groups within UNRWA establishments both poses a clear danger to the safety and security of the civilian population and also compromises the fulfilment of UNRWA's mission.
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> The State of Israel firmly holds that any resolution adopted regarding UNRWA must deal with its operations, and be free of extraneous political

issues introduced to single out one country, to prejudice decisions meant for permanent status negations, or to promote the interests of one side of the conflict.

The State of Israel is in favour of consolidating UNRWA resolutions and removing any extraneous political language. This is consistent with the general efforts aimed at the reform and revitalization of the General Assembly's agenda.

Israel looks forward to continuing its cooperation and working relationship with UNRWA. Accordingly, Israel urges the Secretary-General and UNRWA to consider, together with the parties involved, ways in which the organization can enhance the fulfilment of UNRWA's mandate in an accountable and responsible manner in the best interests of those whom it has been charged to serve.

5. A reply dated 14 July 2005 was received from the Syrian Arab Republic, covering various aspects of resolutions 59/117 to 59/120, and reading as follows:

The Syrian Arab Republic voted for resolutions 59/117, 59/118, 59/119 and 59/120. It reaffirms the necessity of solving the problem of the Palestine refugees in accordance with the relevant resolutions of international legitimacy, including Security Council resolution 73 (1949) of 11 August 1949, which called for the implementation of General Assembly resolution 194 (III) of 11 December 1948 which provided, in paragraph 11, that the refugees should be permitted to return to their homes and should be compensated for the loss of or damage to their property.

The Government of the Syrian Arab Republic repudiates the continuing attempts of the Israeli Government to undermine the right of the Palestine refugees to return and strongly condemns Israel's persistence in the policies of killing, destruction and closure, and the building of the separation wall which is an aggression against the officials of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) and its installations. These policies have exacerbated the sufferings of the Palestine refugees in the occupied Palestinian territory, making their lives unbearable, all of which is incompatible with the resolutions of international legitimacy and international law.

The Government of the Syrian Arab Republic has extended every form of direct assistance and support to the approximately 500,000 Palestine refugees whom it has accommodated in its territory since Israel occupied the Palestinian territories in 1948. It also provides facilities and assistance to UNRWA, thus ensuring that it can scrupulously fulfil its mandate. The Government of the Syrian Arab Republic affirms in this connection that it will continue to give support and assistance to UNRWA, thereby ensuring the continuation of the Agency's operations and services until the occupation is ended and the Palestine refugees return to their homes.

Syria affirms the right of all those who have been displaced as a result of the killings that began in June 1967, and have continued since, to return to their homes or previous places of residence in the territories occupied by Israel since 1967. It also affirms the right of the Palestine refugees to their property

and to the income from it in accordance with the principles of equity and justice and the resolutions of international legitimacy.

The Government of the Syrian Arab Republic expresses its grave concern at the situation of the Palestine refugees living outside the territories from which they have been expelled, and particularly in connection with their security, welfare and living conditions, and calls on the international community to address the problem of the Palestine refugees in accordance with the resolutions of the United Nations, which have specified the inalienable right of the Palestinian people to self-determination and to return to their homes. Syria affirms that any settlement that ignores those rights will not lead to a just and comprehensive solution of the conflict in the Middle East and will not bring about security and stability in the region.

6. No information has been received from other Member States with regard to steps taken concerning resolutions 59/117 to 59/120.